

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mellen-Thomas Benedict

PATENT APPLICATION

Serial No.: 10/632,542

Group Art Unit: 2875

Filed: July 30, 2003

Examiner: A. Alavi

For: MODULARIZED LIGHT PROCESSING OF BODY COMPONENTS

Information Disclosure Statement

Hon. Commissioner for Patents

Alexandria, VA 22313

Sir or Madam:

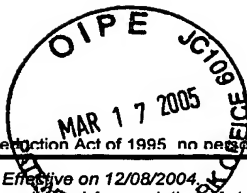
The following information is submitted in compliance with Applicant's duty of disclosure under 37 CFR § 1.56. A copy of each reference is enclosed.

<u>Pat. No.</u>	<u>U.S. Patents</u> <u>Patentee</u>	<u>Grant Date</u>
4,930,504	Diamantopoulos et al.	06/05/90
5,312,396	Feld et al.	05/17/94
5,766,233	Thiberg	06/16/98
5,800,479	Thiberg	09/01/98
6,063,108	Salansky et al.	05/16/00
6,238,424	Thiberg	05/29/01
6,443,978	Zharov	09/03/02
6,454,789	Chen et al.	09/24/02
6,482,199	Neev	11/19/02
6,524,329	Benedict	02/25/03

Other References

Text and drawings of application of USSN
10/159,463.

Text and drawings of application of USSN
10/370,330.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**
For FY 2005☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$180.00

Complete if Known

Application Number	10/632,542
Filing Date	July 30, 2003
First Named Inventor	Mellen Thomas Benedict
Examiner Name	A. Alavi
Art Unit	2875
Attorney Docket No.	MTB-004

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 19-0590 Deposit Account Name: Schneck & Schneck

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

<u>Total Claims</u> 52 - 52 = 0 or HP = 0	<u>Extra Claims</u> x	<u>Fee (\$)</u> = 0.00	<u>Multiple Dependent Claims</u> <u>Fee (\$)</u> =	<u>Fee Paid (\$)</u>
<u>Indep. Claims</u> 2 - 3 or HP = 0	<u>Extra Claims</u> x	<u>Fee (\$)</u> = 0.00		

HP = highest number of total claims paid for, if greater than 20
HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
52 - 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Information Disclosure Statement

Fees Paid (\$)

\$180.00

SUBMITTED BY

Signature	<i>Thomas Schneck</i>	Registration No. (Attorney/Agent) 24,518	Telephone (408) 297-9733
Name (Print/Type)	Thomas Schneck		Date March 15, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



-2-

Textbook excerpt available at:

www.amazon.com/gp/reader/9056991086/ref=sib_dp_pt/102-0788981-0683330#reader-link, "The Science of Low-Power Laser Therapy", Gordon and Breach, 1998.

Website printout: "Electro-Physiology, Light, and Facial Rejuvenation", 5 pages.

Raum und Zeit, "Meridians Conduct Light", vol. 35, (88), 1991, pp. 16-18.

T. Karu, "Photobiology of Low-Power Laser Effects", Health Physics, Vol. 56, No. 5, May 1989, pp. 691-705.

This statement is filed after the mailing date of a first Office action on the merits, but before the mailing date of either a final action or a notice of allowance. (37 CFR 1.97(c)). The fee set forth in 37 CFR 1.17(p) of \$180.00 accompanies this statement. You are authorized to charge any additional fee or credit any excess fee to deposit account no. 19-0590.

CERTIFICATE OF MAILING

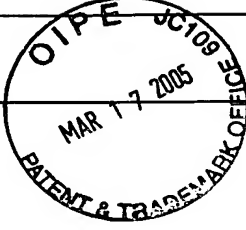
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signed: *Sally Azevedo*
Typed Name: Sally Azevedo
Date: March 15, 2005

Respectfully submitted,

Thomas Schneck
Reg. No. 24,518

P.O. Box 2-E
San Jose, CA 95109-0005
(408) 297-9733

FORM PTO-1449					Atty. Docket No. MTB-004		Serial No. 10/632,542	
LIST OF PRIOR ART CITED BY APPLICANT			Applicant: Mellen-Thomas Benedict					
			Filing Date: July 30, 2003			Group: 2875		
U.S. PATENT DOCUMENTS								
Examiner Initial*	Document Number	Grant Date	Name		Class	Sub Class	Filing Date	
	AA	4,930,504	06/05/90		Diamantopoulos et al.	128	395	
	AB	5,312,396	05/17/94		Feld et al.	606	11	
	AC	5,766,233	06/16/98		Triberg	607	88	
	AD	5,800,479	09/01/98		Thiberg	607	88	
	AE	6,063,108	05/16/00		Salansky et al.	607	89	
	AF	6,238,424	05/29/01		Thiberg	607	88	
	AG	6,443,978	09/03/02		Zharov	607	91	
	AH	6,454,789	09/27/02		Chen et al.	607	88	
	AI	6,482,199	11/09/02		Neev	606	10	
	AJ	6,524,329	02/25/03		Benedict	607	88	
FOREIGN PATENT DOCUMENTS								
Examiner Initial*	Document Number	Grant Date	Country		Class	Sub Class	Translation Yes No	
	AK							
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)								
	AL	Text and drawings of application of USSN 10/159,463.						
	AM	Text and drawings of application of USSN 10/370,330.						
	AN	Textbook excerpt available at: www.amazon.com/gp/reader/9056991086/ref=sib_dp_pt/102-0788981-0683330#reader-link , "The Science of Low-Power Laser Therapy", Gordon and Breach, 1998.						
	AO							
EXAMINER:					DATE CONSIDERED:			
<p>*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>								



FORM PTO-1449			Atty. Docket No. MTB-004		Serial No. 10/632,542	
LIST OF PRIOR ART CITED BY APPLICANT			Applicant: Mellen-Thomas Benedict			
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U.S. PATENT DOCUMENTS						
Examiner Initial*	Document Number	Grant Date	Name	Class	Sub Class	Filing Date
	BA					
	BB					
	BC					
	BD					
	BE					
	BF					
	BG					
	BH					
	BI					
	BJ					
FOREIGN PATENT DOCUMENTS						
Examiner Initial*	Document Number	Grant Date	Country	Class	Sub Class	Translation Yes No
	BK					
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
	BL	Website printout: "Electro-Physiology, Light, and Facial Rejuvenation", 5 pages.				
	BM	Raum und Zeit, "Meridians Conduct Light", vol. 35, (88), 1991, pp. 16-18.				
	BN	T. Karu, "Photobiology of Low-Power Laser Effects", Health Physics, Vol. 56, No. 5, May 1989, pp. 691-705.				
EXAMINER:				DATE CONSIDERED:		
*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.						